



5.) Nonetheless, the alleged facts, though more succinctly stated, remain grounded in alleged conflict of interest and malpractice. (*Id.* at 5.) The proposed amended pleading also lacks a signed certification.

Nothing in the amended pleading plausibly states a claim for violation of the False Claims Act, nor even indicates that such a claim could be stated. Instead, it merely alleges that Defendant violated the False Claims Act by virtue of having allegedly engaged in legal malpractice in state court litigation. (Dkt. 56 at ECF 5.) Accordingly, the application is DENIED as futile. The Amended Complaint at Dkt. 30 remains the operative pleading; and the Clerk of Court is respectfully directed to strike the pleading at Dkt. 56.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: May 13, 2025  
New York, New York

Copies transmitted this date to all counsel of record. The Clerk of Court is directed to mail a copy of this order to the Plaintiff and note service on the docket.